

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA

Jamarv Paremore Hammond, a/k/a Jamarv
P. Hammond,

Plaintiff,

vs.

Two Unknown Named Agents of the
United States Marshals Service,

Defendants.

C/A No. 4:20-4298-JFA-TER

ORDER

Plaintiff, Jamarv Paremore Hammond (“Plaintiff”) proceeding *pro se*, brings this civil action alleging violations of his constitutional rights pursuant to *Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971) (hereinafter “*Bivens*”). In accordance with 28 U.S.C. § 636(b) and Local Civil Rule 73.02(B)(2) (D.S.C.), the case was referred to the Magistrate Judge for pretrial proceedings.

On July 7, 2022, Defendants filed a Motion to Dismiss (ECF No. 65), and thereafter on July 8, 2022, the Magistrate Judge issued an Order pursuant to *Roseboro v. Garrison*, 528 F.2d 309 (4th Cir. 1975), advising Plaintiff of the procedure for a motion to dismiss and the possible consequences of failing to adequately respond to motion for summary judgment. (ECF No. 66). After being granted three extensions, Plaintiff failed to file a Response.

On January 9, 2023, the Magistrate Judge issued a Report which recommended this Court grant Defendants’ Motion and dismiss this action with prejudice. (ECF No. 94).

Plaintiff asserts claims for excessive force and failure to protect against Defendants due to the alleged treatment he received from Defendants while a pretrial detainee at the federal courthouse in Charleston, South Carolina. The Magistrate Judge considered Plaintiff's claims but ultimately recommended this Court decline to extend the *Bivens* remedy to the instant claims. The Magistrate Judge advised Plaintiff of his right to object to the Report by January 23, 2023. However, to date, Plaintiff has failed to respond in any way to the Court's Order or Defendants' pending Motion.

A district court is only required to conduct a *de novo* review of the specific portions of the Magistrate Judge's Report to which an objection is made. *See* 28 U.S.C. § 636(b); Fed. R. Civ. P. 72(b); *Carniewski v. W. Virginia Bd. of Prob. & Parole*, 974 F.2d 1330 (4th Cir. 1992). In the absence of specific objections to portions of the Magistrate's Report, this Court is not required to give an explanation for adopting the recommendation. *See Camby v. Davis*, 718 F.2d 198, 199 (4th Cir. 1983).

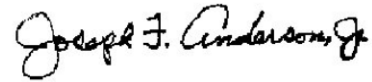
Because Plaintiff has failed to respond to Defendants' Motion or the Report, this Court is not required to give an explanation for adopting the Report. A review of Plaintiff's pleadings, the instant Motion, and the Report indicate the Magistrate Judge correctly concluded that Plaintiff's claims are subject to summary dismissal.

After carefully reviewing the applicable laws, the record in this case, and the Report, this Court finds the Magistrate Judge's recommendation fairly and accurately summarizes the facts and applies the correct principles of law. Accordingly, this Court adopts the Magistrate Judge's Report and Recommendation (ECF No. 94) and grants Defendants'

Motion to Dismiss. (ECF No. 65). This action is dismissed with prejudice and all outstanding motions are hereby deemed moot. (ECF No. 87).

IT IS SO ORDERED.

February 15, 2023
Columbia, South Carolina

A handwritten signature in black ink that reads "Joseph F. Anderson, Jr." The signature is written in a cursive, flowing style.

Joseph F. Anderson, Jr.
United States District Judge